

REMARKS/ARGUMENTS

Claims 1 – 4, 6 – 15, 17 – 24, 26 – 29, and 46 – 48 were previously pending. As noted above, claims 1, 10, 12, 21, and 29 have been amended. Support for these amendments may be found throughout the Specification.¹ Thus, claims 1 – 4, 6 – 15, 17 – 24, 26 – 29, and 46 – 48 remain pending.

Applicants respectfully request reconsideration of this application based on the following remarks.

Claim Objections

Claim 29 was objected to because it was improperly labeled as “Previously Presented” though the claim included amended language. Applicants note with appreciation that the Examiner correctly interpreted the claims as “Currently Amended.” Claim 29 has been further amended herein, and as been properly labeled as “Currently Amended.”

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the objection to claim 29.

Claim Rejections – 35 USC §§ 102 and 103

Claims 1 – 4, 9 – 15, 20 – 24, 29, and 46 – 48 are rejected under 35 USC § 102(b) as being anticipated by Kolev (US Patent No. 6,125,283). Applicants respectfully traverse these rejections.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131 (*citing Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Id.* (*citing Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

¹ See, e.g., Specification, paragraphs 24, 32, and 33.

With respect to independent claim 1, Kolev does not disclose or suggest a method including, at least,

accessing, for each of the plurality of communications networks, user-defined permission information and comparing the dialing string to the user-defined permission information to determine if the call is allowed or is not allowed on each of the identified communications networks;

originating the call on a respective one of the plurality of communications networks if the call was determined to be allowed on the respective one of the plurality of communications networks; and

wherein the user-defined permission information comprises at least one of a fixed list indicating one or more phone numbers allowed on a particular communications network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed by a user into a communications card within the communications device.

With respect to independent claim 10, Kolev does not disclose or suggest a method including, at least,

accessing, for each of the plurality of communications networks, user-defined permission information and comparing the dialing string to the user-defined permission information to determine if the call is allowed or is not allowed on each of the identified communications networks;

preventing the call from being originated on a respective one of the plurality of communications networks if the call was determined to be not allowed on the respective one of the plurality of communications networks; and

wherein the user-defined permission information comprises at least one of a fixed list indicating one or more phone numbers allowed on a particular communications network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed by a user into a communications card within the communications device.

With respect to independent claim 12, Kolev does not disclose or suggest a computer readable media embodying a program of instructions executable by a processor to perform a method of communications, the method including, at least,

accessing, for each of the plurality of communications networks, user-defined permission information and comparing the dialing string to the user-

defined permission information to determine if the call is allowed or not allowed on each of the identified communications networks;

originating the call over a respective one of the plurality of communications networks if the call is determined to be allowed on the respective one of the plurality of communications networks, and preventing the call from being originated if the call is determined not to be allowed on the respective one of the plurality of communications networks; and

wherein the user-defined permission information comprises at least one of a fixed list indicating one or more phone numbers allowed on a particular communications network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed by a user into a communications card within the communications device.

With respect to independent claim 21, Kolev does not disclose or suggest a communications device including, at least,

a processor configured to: ...

access, for each of the plurality of communications networks, the user-defined permission information and compare the dialing string to the user-defined permission information to determine if the call is allowed or not allowed on each of the identified communications networks;

originate the call over a respective one of the plurality of communications networks if the processor determines that the call is allowed on the respective one of the plurality of communications networks;

prevent the call from being originated over the respective one of the plurality of communications network if the processor determines that the call is not allowed on the respective one of the plurality of communications networks; and

wherein the user-defined permission information comprises at least one of a fixed list indicating one or more phone numbers allowed on a particular communications network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed by a user into a communications card within the communications device.

With respect to independent claim 29, Kolev does not disclose or suggest a communications device including, at least,

means for accessing, for each of the plurality of communications networks, the user-defined permission information and comparing the dialing string to the user-defined permission information to determine if the call is allowed or not allowed on each of the identified communications networks;

means for originating the call over a respective one of the plurality of communications networks if the call is determined to be allowed on the respective one of the plurality of communications networks;

means for preventing the call over the respective one of the plurality of communications networks if the call is determined not be allowed on the respective one of the plurality of communications networks; and

wherein the user-defined permission information comprises at least one of a fixed list indicating one or more phone numbers allowed on a particular communications network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed by a user into a communications card within the communications device.

As explained in Applicant's previous responses, in contrast to the recited subject matter, which bases originating and/or preventing a call on determining if a *call is allowed or not allowed according to a comparison of the dialing string to user-defined permission information for each of a plurality of communication networks supported by a communication device*, Kolev is instead concerned with "allowing the greatest possible service availability when the subscriber identity in at least one of the network modes is invalid." Kolev, Abstract, lines 4-6. In response to Applicant's previous arguments, the Examiner once again asserts that Kolev provides "more than adequate support" without specifically addressing Applicant's previously filed claim amendments and arguments. While Applicant's believe the claims previously presented are clearly patentable over Kolev, in order to expedite prosecution, Applicant's have further amended the claims to more particularly describe the user-defined permission information recited therein.

With reference to the user-defined permission information recited in claims 1, 10, 12, 21, and 29, the Examiner cites the following portions of Kolev: col. 3, lines 58 – 64; col. 6, lines 32 – 40; col. 7, lines 3 – 9; col. 8, lines 6 – 10; and col. 11 lines 1 – 9. As explained in Applicant's response of February 18, 2009, none of these passages are in any way related to determining whether a particular phone number is allowed. For example, the cited passage in column 3 is directed to allowing a user to specify a first or second network to use for communications. The cited portion in column 6 relates to providing a SIM card containing a subscriber identity that may be used to control access to particular networks.

The remaining cited passages are equally irrelevant. The cited passage in column 7 relates to selecting the network having a valid subscriber identity in order to provide a higher

level of service, while the cited passage in column 8 refers to determining whether a valid subscriber identity exists. The cited passage in column 11 refers to determining whether access is allowed for non-emergency calls without a valid SIM.

None of the cited passages nor any other portion of Kolev discloses or even suggests user-defined permission information which comprises at least one of a fixed dialing list indicating one or more phone numbers allowed on a particular communication network and a block list indicating one or more phone numbers that are not allowed on a particular communication network, wherein the fixed dialing list and the block list are programmed into a communications card within the communication device. The Examiner argues that "the user (or subscriber) has subscribed to services of the user's preference to allow for access to different networks and to permit calls such as an emergency." However, as previously explained, in Kolev, a decision as to whether to allow a non-emergency call is based on whether the particular network mode in use allows emergency or non-emergency calls without a valid SIM. The user has no input into these decisions. As such, this cannot be considered "user-defined" permission information as it is not defined by the user of a communications device, but rather by a network administrator. Moreover, Kolev does not disclose or even suggest that a user can program a fixed call list or a block list.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1 – 4, 9 – 15, 20 – 24, 29, and 46 – 48 under 35 USC § 102(b) as being anticipated by Kolev.

Claim Rejections – 35 USC § 103

Claims 6, 7, 17, 18, 26, and 27 are rejected under 35 USC § 103(a) as being obvious over Kolev in view of Jonsson (US Patent No. 5,915,224). Claims 8, 19, and 28 are rejected under 35 U.S.C. § 103(a) as being obvious over Kolev in view of Jonsson and Sakai (US Patent No. 7,010,296). Applicants respectfully traverse these rejections.

Applicant respectfully traverses these rejections, as any combination of Kolev, Jonsson, and Sakai fails to disclose or suggest the recited subject matter. In particular, claims 6 – 8, 17 – 19, and 26 – 28 respectively depend from one of independent claims 1, 12 or 21, which are believed to be patentable over Kolev as noted above. Further, Jonsson and Sakai fail to address the above-noted failures of Kolev. Thus, claims 6 – 8, 17 – 19, and 26 – 28 are also non-obvious

and patentably distinguishable over the cited prior art references.² Further, each of these claims separately recites subject matter not disclosed or suggested by any combination of the cited references.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of claims 6 – 8, 17 – 19, and 26 – 28 under 35 USC § 103(a).

² MPEP 2143.03.

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Reply to Office Action of April 21, 2009

CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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